

AMENDMENT TO H.R. 7

**OFFERED BY MR. PETRI OF WISCONSIN, MR.
JOHNSON OF ILLINOIS, AND MR. LIPINSKI OF
ILLINOIS**

Page 91, after line 2, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

1 SEC. 1119. TRANSPORTATION IMPROVEMENTS PROGRAM.

2 (a) FUNDING.—Out of the amounts apportioned or
3 allocated to a State for each of fiscal years 2013 through
4 2015 under title 23, United States Code, a State shall
5 set aside funds for carrying out eligible projects under this
6 section.

7 (b) ELIGIBLE PROJECTS.—A State shall obligate
8 funds set aside under subsection (a) for the following:

9 (1) Transportation enhancement activities, as
10 defined in section 101(a) of such title.

11 (2) Projects and activities eligible for assistance
12 under section 1404(f) of SAFETEA-LU (23 U.S.C.
13 402 note; 119 Stat. 1228), relating to the safe
14 routes to school program.

1 (c) AMOUNT.—The amount of funds to be set aside
2 by a State for a fiscal year under subsection (a) shall be
3 determined by adding—

4 (1) the amount of surface transportation pro-
5 gram funds required to be set aside by the State
6 under section 133(d)(2) of such title (as in effect on
7 the day before the date of enactment of this Act) for
8 fiscal year 2009, relating to transportation enhance-
9 ments; and

10 (2) the amount of funds apportioned to the
11 State for the safe routes to school program for fiscal
12 year 2009 under section 1404 of SAFETEA-LU (as
13 in effect on the day before the date of enactment of
14 this Act).

15 (d) ALLOCATION AMONG PROGRAMS.—A State shall
16 determine which funds apportioned or allocated to the
17 State under such title shall be used for the set-aside re-
18 quired by subsection (a). Such funds shall be available for
19 the purposes of this section notwithstanding any other
20 provision of law.

21 (e) GRANTS TO ELIGIBLE ENTITIES.—A State may
22 not withhold a grant to an eligible entity for a project if
23 funds are available for the project under this section and
24 if the project is eligible. If funds set aside by a State under
25 subsection (a) remain available to the State for a fiscal

1 year after all eligible projects have been funded, the State
2 may use the remaining funds for any project eligible for
3 assistance under section 133(b) of such title.

4 (f) STAFFING.—From the funds set aside under sub-
5 section (a), each State shall use a sufficient amount to
6 fund 2 full-time positions of coordinator of the State's
7 transportation improvements program under this section.

8 (g) ADMINISTRATION.—Out of administrative ex-
9 penses made available under section 104(a) of such title,
10 the Secretary shall make grants to a national nonprofit
11 organization to operate a transportation improvements
12 clearinghouse.

13 (h) TREATMENT OF PROJECTS.—

14 (1) NONINFRASTRUCTURE PROJECTS.—A plan-
15 ning project or any other project carried out under
16 this section that does not involve or lead directly to
17 construction, or the placement of equipment, shall
18 not be considered to be a project on a Federal-aid
19 system under chapter 1 of such title.

20 (2) STATE PROCESS.—The Secretary shall work
21 with State departments of transportation to ensure
22 that any regulations issued to carry out this section
23 are implemented consistently by States and the Sec-
24 retary to avoid unnecessary delays in implementing

1 projects and ensuring the effective use of Federal
2 funds.

3 (i) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—
4 Funds set aside by a State under subsection (a) shall be
5 available for obligation in the same manner as if the funds
6 were apportioned under chapter 1 of such title, except that
7 the Federal share of the cost of a project or activity de-
8 scribed in subsection (b)(2) shall be determined in accord-
9 ance with 1404(i) of SAFETEA-LU (as in effect on the
10 day before the date of enactment of this Act).

Page 206, strike lines 11 through 18, and insert the
following:

11 **SEC. 1701. TRANSPORTATION ENHANCEMENT ACTIVITY DE-**
12 **FINED.**

13 Section 101(a)(35) is amended—

14 (1) in subparagraph (C) by striking “(including
15 historic battlefields)”;

16 (2) in subparagraph (D) by striking “(including
17 the provision of tourist and welcome center facili-
18 ties)”;

19 (3) by striking subparagraph (L).

Page 204, strike lines 11 through 14 (and redesignate subsequent subsections accordingly).

